GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Boarder Check Post of Commercial Tax Department, Pondugula, Dachepalli Mandal, Guntur District on 15-03-2016 – Allegations of Corruption – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Article of Charges framed against Smt. G.Manjula Rani, Commercial Taxes officer, Piduguralla Circle, Guntur District - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.710 **Dated:30-05-2018**
Read:

Ref: From the DG., ACB, C.No.80/DES-VGT/2016-S.17, dt.28.04.2018.

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O R D E R :

Whereas it is considered necessary to hold an enquiry against Smt. G.Manjula Rani, Commercial Taxes officer, Piduguralla Circle, Guntur District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Smt. G.Manjula Rani, Commercial Taxes officer, Piduguralla Circle, Guntur District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. She is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Smt. G.Manjula Rani, Commercial Taxes officer, Piduguralla Circle, Guntur District is further informed that if she does not submit her written statement of defence on or before the date specified in para 2 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against her ex-parte.

6. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

To

Smt. G.Manjula Rani, Commercial Taxes officer, Piduguralla Circle, Guntur District (with Enclosures Annexures I to IV) **through** Commissioner of Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government).

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Copy to

The Commissioner of Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Andhra Pradesh, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Vijayawada.

The Deputy Commissioner, Commercial Taxes, Guntur.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SMT G.MANJULA RANI D/O HANUMANTHA RAO, 48 YRS, COMMERCIAL TAX OFFICER, PIDUGURALLA CIRCLE

That Smt. Gorantla Manjula Rani D/o. G.Hanumantha Rao, aged 48 yrs has joined in Government Service on 08-06-1995 as Assistant Commercial Tax Officer and worked in O/o. Deputy Commercial Tax Officer, Lalapet Circle, Guntur from 08-06-1995 to 07-06-1996. Subsequently she worked in the same capacity at various places i.e., in the O/o. Deputy Commissioner (Commercial Taxes), Guntur Division, Guntur from 08-06-1996 to 31-07-1997, in the O/o. Commercial Tax Officer, Patnam Bazaar, Guntur from 01-08-1997 to 03-08-2000, in the O/o. Commercial Tax Officer, Eluru Bazaar, Guntur from 04-08-2000 to 22-05-2003 and in the O/o. Commercial Tax Office, Kothapet, Guntur from 23-05-2003 to 29-04-2005. Later she was promoted as Deputy Commercial Tax Officer and worked in the O/o Commercial Tax Officer-III, Nellore from 30-04-2005 to 30-06-2005 and she worked in the same capacity at various places i.e., in the O/o. Commercial Tax Officer, Main Bazaar, Guntur from 01-07-2005 to 18-07-2007, in the O/o. Commercial Tax Officer, Gandhichowk, Tenali from 19-07-2007 to 18-08-2009, in the O/o. Patnam Bazaar, Guntur from 19-08-2009 to 20-06-2012 and in the O/o. Commercial Tax Officer, Gandhichowk, Tenali from 21-06-2012 to 25-08-2013. Subsequently she was promoted as Commercial Tax Officer (FAC) at Piduguralla Circle and worked from 26-08-2013 to 24-09-2015. Later she was promoted as Commercial Tax Officer and working at Piduguralla Circle since 25-09-2015. While working as Commercial Tax Officer, Piduguralla Circle since 25-09-2015, she committed grave misconduct in as much as being a immediate superior officer to Suspected Officer's 1 to 11, she failed to supervise her sub-ordinate staff who are working in the Vehicular Traffic Check observation point, Pulipadu adda road (Pondugula) and Boarder Check Post of Commercial Taxes, Pondugula and not controlled the corrupt activities of the staff of Vehicular Traffic Check point and check post. Due to her lack of supervision among their staff, they indulged in corrupt activities. So she has failed to maintain absolute integrity, devotion to duty, conduct unbecoming Member of State Government Service and placed her official position under embarrassment by violating the provisions of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, Smt. Gorantla Manjula Rani D/o. G.Hanumantha Rao, aged 48 years, Commercial Tax Officer, Piduguralla Circle by her above-mentioned acts, has exhibited lack of integrity, devotion to duty and conducts unbecoming Member of State Government Service and thereby violated Rule 3 (1) (2) & (5) of Andhra Pradesh Civil Services (conduct) Rules 1964.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OF MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SMT G.MANJULA RANI D/O HANUMANTHA RAO, 48 YRS, COMMERCIAL TAX OFFICER, PIDUGURALLA CIRCLE

That Smt. Gorantla Manjula Rani D/o. G.Hanumantha Rao, 48 yrs, Commercial Tax Officer is a native of Idupulapadu, Inkollu Mandal, Prakasham District. Her date of birth is 17-06-1968 and she joined in Government Service on 08-06-1995 as Assistant Commercial Tax Officer and worked in O/o. Deputy Commercial Tax Office, Lalapet Circle, Guntur from 08-06-1995 to 07-06-1996. Subsequently she worked in the same capacity at various places i.e., in the O/o. Deputy Commissioner (Commercial Taxes), Guntur Division, Guntur from 08-06-1996 to 31-07-1997, in the O/o. Commercial Tax Officer, Patnam Bazaar, Guntur from 01-08-1997 to 03-08-2000, in the O/o. Commercial Tax Officer, Eluru Bazaar, Guntur from 04-08-2000 to 22-05-2003 and in the O/o. Commercial Tax Officer, Kothapet, Guntur from 23-05-2003 to 29-04-2005. Later she was promoted as Deputy Commercial Tax Officer and worked in the O/o Commercial Tax Officer-III, Nellore from 30-04-2005 to 30-06-2005 and she worked in the same capacity at various places i.e., in the O/o. Commercial Tax Officer, Main Bazaar, Guntur from 01-07-2005 to 18-07-2007, in the O/o. Commercial Tax Officer, Gandhichowk, Tenali from 19-07-2007 to 18-08-2009, in the O/o. Patnam Bazaar, Guntur from 19-08-2009 to 20-06-2012 and in the O/o. Commercial Tax Officer, Gandhichowk, Tenali from 21-06-2012 to 25-08-2013. Subsequently she was promoted as Commercial Tax Officer (FAC) at Piduguralla Circle and worked from 26-08-2013 to 24-09-2015. Later she was promoted as Commercial Tax Officer and working at Piduguralla Circle since 25-09-2015. She is drawing basic pay of Rs.58,330/- in the time scale pay of Rs.40270-93780/-. Her date of attaining superannuation is 30-06- 2028. She is here in after referred to as Government Servant (G.S).

ARTICLES OF CHARGE:

"That Government Servant is overall in-charge of her jurisdiction including Vehicular Traffic Check Observation Points and check posts, she is immediate superior officer to Suspected Officer's 1 to 11, but she was failed to supervise her sub-ordinate staff who are working in the Vehicular Traffic Check observation point, Pulipadu adda road (Pondugula), Boarder Check Post of Commercial Taxes, Pondugula and not controlled the corrupt activities of the staff of Vehicular Traffic Check point and check post. Due to her lack of supervision among their staff, they indulged in corrupt activities"

FACTS IN EVIDENCE:

On credible information that the officials of the Commercial Tax Department including private persons of Boarder Check Post of Commercial Tax Department at Pondugula Village, Dachepalli Mandal, Guntur District have been collecting bribes/mamools from the drivers/cleaners/owners of the transport goods vehicles etc., through some private persons, the Deputy Superintendent of Police, Anti Corruption Bureau, Guntur has organized a Surprise Check in the said check post along with his staff in the presence of two mediators on 15-03-2016 between 05-30 am and 03.30 pm. The details are:-

On 14-03-2016 at 08-30 pm, the Deputy Superintendent of Police, Anti Corruption Bureau, Guntur secured the presence of two mediators, left office of Deputy Superintendent of Police, Anti Corruption Bureau, Guntur at 02.30 am on 15-03-2016 along with mediators and his staff and proceeded to Boarder Check Post of Commercial Taxes, Pondugula and reached the vicinity of the Check Post 04-45 am on the same day. The Surprise check party took vantage positions in and around the said Boarder Check Post and

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watched the activities of the staff and noticed that one person is stopping transport goods vehicles by whistling, taking away the drivers/cleaners of the transport goods vehicles to inside of the check post and in turn staff of check post who are 6 in number collecting some money from them even without verifying records. When some of the drivers/cleaners of the transport goods vehicle are denying to pay money to the staff, the staff are forced them to pay the amounts otherwise they will impose extra compounding fees. Further on the western side to the check post i.e., at a distance of about 30 meters to the check post, the VTC (Vehicular Traffic Check) observation party of commercial taxes are stopping vehicles near the said check post, which are not yet stopped at check post and they are also collecting mamools from the owners/drivers/cleaners of transport vehicles. There is TATA Indica Vista car vide its bearing No.AP-07-CG-1885 having a driver in its driver seat. When around 5 in number transport vehicle drivers/cleaners/ owners and one private person went inside the check post, the Deputy Superintendent of Police, while going to surprise the boarder check post at 5 AM, the Deputy Superintendent of Police instructed the District Inspector, Anti Corruption Bureau to go to the Vehicular Traffic Check observation party along with HC 2928 and bring all the persons who are collecting mamools from the vehiculars to the check post and that the Deputy Superintendent of Police himself entered inside the Boarder check post along with his remaining staff and mediators. By the time, 2 Assistant Commercial Tax Officers, 2 Senior Assistants, 2 Junior Assistants, 4 vehicle drivers and a private person were inside the check post. Accordingly, the said Inspector went there along with the said HC and brought all the persons to the check post. The Deputy Superintendent of Police introduced himself, mediators and other members of surprise check party to the occupants of the check post and explained them about purpose of surprise of check post, Further the Deputy Superintendent of Police has also ascertained the identity of the occupants of the check post as; 1) Sri T. Peter Babu, Assistant Commercial Tax Office, 2) Sri P. Srinivasa Rao, Assistant Commercial Tax Office, 3) Sri Sk. Mastan Vali, Senior Assistant, 4) Sri G. Prabhakar Babu, Senior Assistant, 5) Sri Md. Malik Jani Basha, Junior Assistant, and 6) Sri G. Gnana Sundaram, Junior Assistant.

Thereafter the Deputy Superintendent of Police got searched the premises of Check post and during search, the following amounts were found with the following staff at their respective tables' desks and dust bins; i.e. (1) Sri T. Peter Babu, Assistant Commercial Tax Office Rs. 10,050/- (Rs.500 X 14; Rs.100 x 25; Rs.50 X 11) (from table desk), (2) Sri P. Srinivasa Rao, Assistant Commercial Tax Office, Rs. 6,250/- (Rs.500 X 6; Rs.100 x 25; Rs.50 X 6; Rs.20 X 5; Rs. 10 X 35) (from table desk), (3) Sri Shaik Mastan Vali, Senior Assistant, Rs.3,130/- (Rs.500 X 2; Rs.100 x 20; Rs. 10 X 13) (from table desk), (4) Sri G. Prabhakara Babu, Senior Assistant, Rs.3,030/- (Rs.500 X 2; Rs.100 x15; Rs.50 X 5; Rs.20 X 6; Rs. 10 X 16) (from plastic dust bin), (5) Sri Md. Malik Jani Basha, Junior Assistant, Rs.2,420/- (Rs.500 X 1; Rs.100 x 10; Rs.50 X 1; Rs.20 X 3; Rs. 10 X 81). (from table desk) and (6) Sri G. Gnana Sundaram, Junior Assistnat, Rs.2,180/- (Rs.500 X 1; Rs.100 x 8; Rs.50 X 1; Rs.20 X 2; Rs.10 X 79) (from table desk).

Then the Deputy Superintendent of Police, Anti Corruption Bureau questioned the above staff about the presence of the above said cash in their respective tables' desks and dust bins, they did not give any valid reasons and kept silent. Further the Assistant Commercial Tax Officer T.Peter Babu stated that the amount found in his table's drawer is not his own, of the total amount arrive till 8 AM, Rs.5,000/- would be given to the Administrative Officer/Deputy Commercial Tax Officer, who is over all in-charge of the check post. Since the above amount i.e. total Rs.27,060/- was found desks of tables/plastic dust bins of the staff of check post, found unaccountable in the check post and the staff did not give any valid reasons

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for those amount, the above amount was seized suspecting that the amounts were collected in the form of mamools, by them from the drivers/cleaners/owners of the transport goods vehicles, for the purpose of further enquiry.

The following are the persons brought by the District Inspector and the Deputy Superintendent of Police, introduced himself, the other members of the search party and the mediators to them and ascertained their identity as; (1) Sri Mallela Surendra babu, Assistant Commercial Tax Officer, (2) Sri Mohammad Ibrahim, Senior Assistant, (3) Sri Manchineella Anjeneyulu, Junior Assistant, (4) Sri Macherla Raja Sekhar, Office Sub-Ordinate, (5) Sri Yedluri Venkatesh, Driver of the car No. APO7CG 188 and (6) Sri Guntagani Suresh, Data Entry Operator, O/o. CTO, Piduguralla. Thereafter the Deputy Superintendent of Police got searched the staff of the Vehicle Traffic Point and Data Entry Operator by the mediators and the amounts found in their shirt pockets are tallied with personal cash register. Hence the amount found in their shirt pockets was returned to them.

Further on suspicion the Deputy Superintendent of Police has searched pant pockets of the above all 4 persons and found the following amounts in their pants back pockets, i.e. Sri Mallela Surendra Babu, Assistant Commercial Tax Officer, Rs. 4500/- (Rs.1000 X 2; Rs. 500 X 4; Rs.100 X 5), (2) Sri Mohammad Ibrahim, Senior Assistant, Rs. 2,000/-(Rs. 1000 X 1; Rs, 500 X 1; Rs. 100 X 5), (3) Sri Manchineella Anjeneyulu, Junior Assistant, Rs. 2,000/-(Rs. 1000 X 1; Rs. 500 X 1; Rs. 100 X 5) and (4) Sri Macherla Raja Sekhar, Office Sub-Ordinate, Rs. 600/- (Rs.100 X 5; Rs.50 X 1; Rs. 10 X 5) are found on the pant back pockets. When examined them about the presence of huge amounts in their possessions they did not come up with any explanation and be quite. Upon which the Deputy Superintendent of Police seized the above amount total of Rs. 9,100/- suspecting that the said amount was collected by the above four persons from the drivers/cleaners/owners of the vehicular ply on Narkatpalli-Addanki road by means of mamools.

The Deputy Superintendent of Police examined 6 vehicle drivers/ owners at boarders check post and on examination all they stated that the check post staff are being collected Rs.150/- for transit pass and giving receipt for Rs.50/- only. Further check post staff demanding money from other lorry drivers. They further stated that on 15-03-2016 early hours, their vehicles were stopped by check post staff and they demanded money. Mean while, Anti Corruption Bureau authorities surprised the check post.

Then the Deputy Superintendent of Police examined 3 vehicle drivers/ owners at Vehicular Traffic Check observation point and on examination all they stated that Vehicular Traffic Check observation staff are collecting mamools of Rs.1,000/- for each vehicle. They were also asked by the Vehicular Traffic Check staff though their vehicles were got checked at check post.

Sri Pinelli Krishna Reddy, Administrative Officer, Boarder Check post stated that actually he is a Deputy Commercial Tax Officer, Vinukonda. The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad posted him as Administrative Officer, Boarder Check Post of Commercial Taxes, Pondugula on 19-01-2016 with duration of 3 months. He is overall incharge of the entire check post. Three shifts are being run at the check post. In each shift, 2 Assistant Commercial Tax Officers, 2 Senior Assistant, 4 Junior Assistant, and 2 office sub-ordinates are working. No touts/private persons allow to the check post. One of the Assistant Commercial Tax Officers who are acting as incharge might have allowed touts/private persons. He doesn't know the reasons why they were allowed inside the check post. Further it is not correct to say that he receives money of Rs. 5,000/- per shift from the

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staff of the check post. Concerned Assistant Commercial Tax Officers who are present during night shifts are responsible for uncountable cash during their shift.

Smt Gorantla Manjula Rani, Commercial Taxes Officer stated that she has been working as Commercial Taxes Officer, Pidiguralla Circle since 19-08-2013. As per the written instructions of Deputy Commissioner, Narasaraopet Division she used to deploy Senior Assistant, Junior Assistant and Office Subordinates to assist Assistant Commercial Tax Officers who posts by the Deputy Commissioner of Commercial Taxes in Vehicular Traffic Check observations, at Pulipadu Cross road on Addanki-Narkatpalli state high way. She availed herself earned leave for 24 days on account of her daughter's marriage from 16-02-2016 to 10-03-2016. During her leave period Commercial Tax Officer Sattenapalli was kept as a FAC to her circle by the Deputy Commissioner. During that time Sri M. Surendra Babu, Assistant Commercial Tax Officer-1 was deployed for Vehicular Traffic Check observations duty at Pulipadu cross road by Deputy Commissioner and inturn Commercial Tax Officer, FAC has deputed Sri Md. Ibrahim, Senior Assistant, V. Anjeneyulu, Junior Assistant, and Sri Raja Sekhar, Office subordinate are deputed to assist Assistant Commercial Tax Officer Sri M. Surendra Babu at Vehicular Traffic Check observation point for a period of 15 days from 01-03-2016 to 15-03-2016. On the request of Deputy Superintendent of Police she came to check post and present during proceedings. Further she came to know that Anti Corruption Bureau officials seized Rs, 9,100/- un accountable cash from the possession of Vehicular Traffic Check observation team, the Vehicular Traffic Check staff engaged a private vehicle vide bearing No. No.AP-07-CG-1885 instead of allotted vehicle in the duty chart vide its bearing No. ADM.1649, the duties of Vehicular Traffic Check staff i.e., to check missed goods loaded vehicles from check post etc., The Vehicular Traffic Check staff should not move from static unless chasing condition. No private person shall be allowed during duties by Vehicular Traffic Check staff and etc.,

The Deputy Superintendent of Police seized copies of relevant receipt of User Charges Receipt Book. No.10 and relevant pages of Attendance Register under cover of Mediator Report.

Thus, the said Smt. Gorantla Manjula Rani, Commercial Tax Officer, Piduguralla Circle (G.S.12) by her above mentioned acts, she exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service by contravened Rule 3 (1) (2) & (5) of Andhra Pradesh Civil Services (conduct) Rules 1964.

The Government Servant has therefore rendered herself liable for regular Departmental Action.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SMT G.MANJULA RANI D/o HANUMANTHA RAO, 48 YRS, COMMERCIAL TAX OFFICER, PIDUGURALLA CIRCLE

LIST OF DOCUMENTS

1. Mediators' report (Surprise Check Proceedings) drafted on 15-03-2016 at Commercial Taxes Boarder Check Post, Pondugula, Dachepalli Mandal of Guntur District.

2. VTC duties deployment order copy for the period from 01-03-2016 to 15-03-2016.

3. Letter in Rc.No.D2/80/2016, dt.20.05.2016 of Deputy Commissioner (CT), Guntur-II Division, Guntur.

4. If any document found necessary they will be produced at the time enquiry.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE — IV

LIST OF WITNESSES BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SMT G.MANJULA RANI D/o HANUMANTHA RAO, 48 YRS, COMMERCIAL TAX OFFICER, PIDUGURALLA CIRCLE

LIST OF WITNESSES

1. Sri Sriram Srinivas s/o Narayana Rao, aged 45 yrs, Industrial Promotion Officer, Guntur Rural O/o General Manager, District Industries Centre, Guntur. R/o.D.No.26-39-117/A, 11th lane, AT Agraharam, Guntur. (Mediator-I)

2. Sri Sunkara Saidulu s/o Yesobu, aged 34 yrs, Junior Steno, O/o General Manager, District Industries Centre, Guntur R/o Quarter No.D-2, DM&HO Compound, Opp. Collectorate, Guntur. (Mediator-II)

3. Sri Manchela Krishna s/o Venkataiah(late), aged 42 yrs, R/o D.No.5-11-49, Venkateswara Nagar, Moulali, Hyderabad.

4. Sri Sabir Khan s/o Pahala Khan, aged 22 yrs, R/o Rasgon village, Ramgadh T, Alwal district, Rajastan state.

5. Sri Bodige Swamy s/o Ramulu, aged 38 yrs, Chinduru village, Gattuppal Mandal, Nalgonda district.

6. Sri Guntagani Suresh s/o Israil, aged 28 yrs, Data Entry Operator, O/o. CTO, Piduguralla, R/o D.No.19-490, Srinivasa colony, 1st line, Piduguralla, Guntur district.

7. The Deputy Commissioner of Commercial Taxes, Guntur-II Division, Guntur.

8. Sri T. Narasimha Reddy, District inspector, ACB, Guntur.

9. Sri Ch.D.Santho, Dy. Supdt. Of Police, Anti-Corruption Bureau, Guntur.

10. If any witness found necessary they will be produced at the time enquiry.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER